

MEETING OF
THE DELAWARE AGRICULTURAL LANDS PRESERVATION FOUNDATION

A meeting of the Delaware Agricultural Lands Preservation Foundation was held at the Delaware Department of Agriculture, 2320 S. DuPont Hwy. Dover, Delaware, February 13, 2008, with the following members in attendance:

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| William Vanderwende, Vice Chairman | Kevin Coyle (representing John Hughes, Secretary of DNREC) |
| Michael Scuse, Secretary of Agriculture | Jack Markell, State Treasurer |
| Joseph Wick | Theodore P. Bobola, Jr. |

Absent: Lynn Davenport, Robert Garey, Allen Messick, Jr., and G. Ray Staats.

The following staff members were in attendance: Michael McGrath, Howard Mesick, Milton Melendez, Cathy Mesick, Kathi Spangler, and Robin West.

Others in attendance: Mark Davis (Deputy Principal Assistant to the Secretary of Agriculture), and Mr. Phil Tuthill

Vice Chairman Vanderwende opened the meeting at 8:43 a.m.

I. Progress Report:

Milton Melendez informed the Board that we have a total of 960 farms in preservation districts totaling 147,246 acres, with a total of 484 farms under agricultural easements totaling 85,045 acres at a cost of \$137,072,330. For PDR 13 there are a total of 112 farms comprising 15,925 acres with a value of \$247,272,924 to be considered for purchase of development rights. For PDR 14 there are a total of 35 farms comprising 2,350 acres with a value of \$38,814,052. For the Forestland Preservation Program there are 25 farms comprising 2,132 acres.

II. Forestland Preservation Area Eligibility & Final Approval:

1. D.R. Simpson Properties Limited Forestland Preservation Area, ID#F-S-07-11-034N-015. After discussion, **Kevin Coyle moved to accept for eligibility/final approval the D.R. Simpson Properties Limited Forestland Preservation Area, seconded by Jack Markell. Motion unanimously approved.**
2. Johnson Forestland Preservation Area #1, ID#F-S-07-11-065P-016. After discussion **Jack Markell moved to accept for eligibility/final approval the Johnson Forestland Preservation Area, seconded by Theodore P. Bobola, Jr. Motion unanimously approved.**
3. Johnson Forestland Preservation Area #2, ID#F-S-07-11-072F-017. After discussion, **Theodore P. Bobola, Jr. moved to accept for eligibility/final approval the Johnson Forestland Preservation Area #2, seconded by Jack Markell. Motion unanimously approved.**
4. Swartzentruber Forestland Preservation Area, ID#F-S-07-12-138D-024. After discussion, **Kevin Coyle moved to accept for eligibility/final approval the Swartzentruber Forestland Preservation Area, seconded by Jack Markell. Motion unanimously approved.**
5. Carey Reserve Forestland Preservation Area #1, ID#F-K-07-12-219H-022. After discussion, **Joseph Wick moved to accept for eligibility/final approval the Carey Reserve Forestland Preservation Area #1, seconded by Kevin Coyle. Motion unanimously approved.**
6. Carey Reserve Forestland Preservation Area #2, ID#F-K-07-12-219I-023. After discussion, **Theodore P. Bobola, Jr. moved to accept for eligibility/final approval the Carey Reserve Forestland Preservation Area #2, seconded by Kevin Coyle. Motion unanimously approved.**

Secretary Scuse waived his right of veto for the above forestland preservation areas.

III. Expansion eligibility & Final Approval:

1. Johnson Expansion of the Simpson Farms District, ID#K-07-11-072F. After discussion, **Kevin Coyle moved to accept for eligibility/final approval the Johnson Expansion of the Simpson Farms District, seconded by Joseph Wick. Motion unanimously approved.**
2. Carey Reserve Expansion #1 of the Tappahanna District, ID#K-07-12-219H. After discussion, **Theodore P. Bobola, Jr. moved to accept for eligibility/final approval the Carey Reserve Expansion #1 of the Tappahanna District, seconded by Jack Markell. Motion unanimously approved.**
3. Carey Reserve Expansion #2 of the Tappahanna District, ID#K-07-12-219I. After discussion, **Joseph Wick moved to accept for eligibility/final approval the Carey Reserve Expansion #2 of the Tappahanna District, seconded by Jack Markell. Motion unanimously approved.**
4. J & M Sipple Expansion of the Dempsey Farms District, ID#K-07-12-168C. After discussion, **Joseph Wick moved to accept for eligibility/final approval the J & M Sipple Expansion of the Dempsey Farms District, seconded by Kevin Coyle. Motion unanimously approved.**
5. Garey Expansion of the Cave Plantation District, ID#K-07-12-060B. After discussion, **Jack Markell moved to accept for eligibility/final approval the Garey Expansion of the Cave Plantation District, seconded by Kevin Coyle. Motion unanimously approved.**
6. Joseph Czajkowski Expansion of the McQuail-Twin Eagles District, ID#N-07-12-073D. After discussion, **Kevin Coyle moved to accept for eligibility/final approval the Joseph Czajkowski Expansion of the McQuail-Twin Eagles District, seconded by Theodore P. Bobola, Jr. Motion unanimously approved.**
7. Johnson Expansion of the Collins Acres District, ID#S-07-11-065P. After discussion, **Jack Markell moved to accept for eligibility/final approval the Johnson Expansion of the Collins Acres District, seconded by Joseph Wick. Motion unanimously approved.**

Secretary Scuse waived his right of veto for the above expansions.

- IV. Public Comments – Mr. Phil Tuthill mentioned that he was sorry to have missed our last Foundation meeting. He also talked about the Kent County TDR program and asked that someone from the Department of Agriculture speak with the Wicks family concerning their farm. Secretary Scuse said that he is aware of the Wicks situation and the Kent County TDR program. Mr. Theodore Bobola, Jr. spoke about his attendance at the Kent County TDR meeting and asked that it be noted that the plan is now the purchase of one TDR and the developer gets three additional lots. Mr. Bobola urged all interested people to attend the Lake Forest meeting to be held 7:00 p.m. this evening.

Secretary Scuse left the meeting at 9:10 a.m. at which time Mark Davis took his place. State Treasurer Jack Markell left the meeting at 9:16 a.m. At that time there was no longer a quorum.

- V. Minutes – Vice Chairman Vanderwende asked if there were additions or corrections to the January 9, 2008 minutes. Receiving no additions or corrections to the minutes, **Theodore P. Bobola, Jr. moved the minutes be approved, seconded by Kevin Coyle. Motion unanimously approved.**

Because there is not a quorum, the minutes have been approved by Committee, but the vote will be taken at the next meeting.

X. Financial Highlights:

Cathy Mesick informed the Foundation Board that we had, as of January 31, 2008, \$10,814.21 in the Foundation's checking account. The Foundation's interest bearing State of Delaware account had a balance of \$156,294.69. We received \$1,476.15 revenue from rollback taxes. Expenditures for the month of January totaled \$11,593.67. After discussion, the Financial Report was approved by Committee. It will need to be brought before the Board at the March meeting for a vote.

XI. Executive Session – There was no need for an Executive Session.

XII. Other Business:

Cathy Mesick mentioned that the Board needs a person to replace Mr. Jones as treasurer; this will be placed on the agenda for the March meeting. It was also mentioned that Mr. Lyn Davenport, Secretary of the Board, is doing well with his medical treatments. Mr. Mark Davis mentioned that a letter is prepared for the Governor's signature concerning the Farm Bill. This letter goes through the Governor's DC office. Vice Chairman Vanderwende wanted to know how tax ditch and right of way is recorded when you do TDR's. Michael McGrath responded that the property records have that information. Mr. Vanderwende said that the tax ditch law will be changing.

XIII. Adjournment

As there was no further business to come before the Foundation, the meeting adjourned at 9:35 a.m. The next meeting of the Foundation will be held on March 12, 2008 at the Delaware Department of Agriculture, beginning at 8:30 a.m.

Respectfully submitted,

William Vanderwende
Vice Chairman